

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CAROL M. NOVITSKY,

Plaintiff,

v.

CITY OF HAZLETON POLICE  
DEPARTMENT, et al.,

Defendants.

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3:22-CV-00492  
(JUDGE MARIANI)  
(Magistrate Judge Saporito)

ORDER

AND NOW, THIS 16<sup>th</sup> DAY OF AUGUST 2023, upon review of Magistrate

Judge Joseph F. Saporito's Report and Recommendation ("R&R") (Doc. 34) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 34) is **ADOPTED** for the reasons discussed therein;
2. Defendants City of Hazleton Police Department, City of Hazleton Code Enforcement, Nadine Sist, and City of Hazleton's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) (Doc. 13) is **GRANTED**;
3. Plaintiff's injunctive relief claim for an order vacating any court-imposed fines, liens, or other charges is **DISMISSED** for lack of jurisdiction under the *Rooker-Feldman* doctrine, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure;